

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JFW

In re Patent Application of

Atty Dkt. 01579-0852

C# M#

HALE, Laura P.

TC/A.U.

1642

Serial No. 10/627,966

Examiner: Reddig, P.J.

Filed: July 28, 2003

Date: June 20, 2006

Title: A METHOD OF MODULATING MELANIN PRODUCTION



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

HALE, Laura P.

Atty. Ref.: 01579-0852; Confirmation No. 2269

Appl. No. 10/627,966

TC/A.U. 1642

Filed: July 28, 2003

Examiner: Reddig, P.J.

For: A METHOD OF MODULATING MELANIN PRODUCTION

* * * * *

June 20, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is in response to the Office Acted dated June 12, 2006, in the above matter.

In response to the Examiner's requirement for election as between Group I and Group II, Applicant elects Group I (claims 1-8) for consideration in this application. The election is made with traverse and the Examiner is urged to reconsider the requirement for restriction and to consider all of claims 1-11 in this application as no undue burden is believed to be placed on the Examiner by so doing.

As regards the requirement for election of a species from those enumerated in the Examiner's Group "A", Applicant elects "polypeptide". As regards the requirement for election of a species from those enumerated under the Examiner's Group "B", Applicant elects "*in vivo*". As regards the requirement for election of a species from those enumerated under the Examiner's Group "C", Applicant elects "topically".

HALE, Laura P.
Appl. No. 10/627,966
June 20, 2006

Claims 1-3 and 5-8 are readable on the elected species "polypeptide". Claims 1-8 are readable on the elected species "*in vivo*". Claims 1-7 are readable on the elected species "topically". These elections are made with traverse.

The Examiner is urged to reconsider the requirement for election of species, particularly as that requirement relates to Group "C". A comprehensive search of the subject matter of the species elected under "A" and "B" would necessarily encompass both topical and systemic administration. Accordingly, no undue burden would be placed on the Examiner if both "topically" and "systemically" were to be consideration in the same application.

An early and favorable Action on the merits is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

Mary J. Wilson
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